

103D CONGRESS  
1ST SESSION

# S. 611

To amend the Federal Aviation Act of 1958 to provide for the establishment of limitations on the duty time for flight attendants.

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## IN THE SENATE OF THE UNITED STATES

MARCH 18 (legislative day, MARCH 3), 1993

Mr. INOUE (for himself, Mr. AKAKA, Mrs. BOXER, Mr. CAMPBELL, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Federal Aviation Act of 1958 to provide for the establishment of limitations on the duty time for flight attendants.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Flight Attendant Duty  
5 Time Act”.

### 6 **SEC. 2. AMENDMENT TO THE FEDERAL AVIATION ACT.**

7 (a) IN GENERAL.—Title VI of the Federal Aviation  
8 Act of 1958 (49 U.S.C. App. 1421–1433) is amended by  
9 adding at the end thereof the following new section:

1 **“SEC. 614. DUTY TIME OF FLIGHT ATTENDANTS.**

2 “(a) RULEMAKING PROCEEDING.—Not later than 60  
3 days after the date of the enactment of this section, the  
4 Secretary shall initiate a rulemaking proceeding for the  
5 purpose of establishing limitations on duty time for flight  
6 attendants, including minimum rest requirements.

7 “(b) FINAL REGULATIONS.—Except in any case in  
8 which the prohibitions referred to in subsection (c) take  
9 effect, the Secretary shall issue, not later than 240 days  
10 after the date of the enactment of this Act, final regula-  
11 tions establishing limitations on duty time for flight at-  
12 tendants, including minimum rest requirements as follows:

13 “(1) For a domestic flight, a maximum of 14  
14 hours of actual duty time, plus a maximum of 2 ad-  
15 ditional hours spent deadheading to return to the  
16 flight attendant’s domicile, and a minimum of at  
17 least 10 consecutive hours of rest after each duty pe-  
18 riod.

19 “(2) For an international flight, a maximum of  
20 16 hours of actual duty time and minimum of at  
21 least 12 consecutive hours of rest after each duty pe-  
22 riod.

23 “(3) For a long-range international nonstop  
24 flight, a maximum period of actual duty time no  
25 more than 4 hours greater than the scheduled duty  
26 time, with a maximum period of actual duty time no

1 greater than 20 hours, and a minimum consecutive  
2 rest period equal to at least twice the scheduled  
3 flight time.

4 “(4) For all flight attendants, a minimum of  
5 eight 24 consecutive hour periods of rest at their  
6 domicile per calendar month and at least one 24  
7 hour consecutive period of rest within every 7 days.

8 “(5) For all flight attendants, at least a contin-  
9 uous 1 hour rest break on any flight scheduled for  
10 8 hours or more of flight time in a designated rest  
11 area.

12 “(c) MANDATED PROHIBITIONS.—If the Secretary  
13 does not initiate a rulemaking proceeding under sub-  
14 section (a) before the 60th day following the date of the  
15 enactment of this Act or does not issue final regulations  
16 under subsection (b) before the 240th day following such  
17 date of enactment, no air carrier may after such date oper-  
18 ate an aircraft using a flight attendant who has been on  
19 duty more hours, or who has had fewer hours of rest, than  
20 those required by paragraphs (1) through (5) of sub-  
21 section (b).

22 “(d) MODIFICATION OF MANDATED PROHIBI-  
23 TIONS.—The Secretary may issue regulations modifying  
24 the prohibitions contained in paragraphs (1) through (5)  
25 of subsection (b) if the Secretary determines that such

1 modifications are in the interest of safety and transmits  
2 a copy of the modifying regulations to the Committee on  
3 Commerce, Science, and Transportation of the Senate and  
4 the Committee on Public Works and Transportation of the  
5 House of Representatives. The modifying regulations may  
6 not take effect until the expiration of the 90-day period  
7 beginning on the date of the transmittal of the modifying  
8 regulations to such committees.

9 “(e) DEFINITIONS.—In this section, the following  
10 definitions apply:

11 “(1) AIR CARRIER.—The term ‘air carrier’  
12 means any air carrier which is subject to the provi-  
13 sions of part 121 or part 135 of title 14 of the Code  
14 of Federal Regulations.

15 “(2) DEBRIEFING TIME.—The term ‘debriefing  
16 time’ means a time period of at least 30 minutes for  
17 domestic flight and of at least 45 minutes for inter-  
18 national flight after the block-in time of the last  
19 flight or segment of a flight.

20 “(3) DESIGNATED REST AREA.—The term ‘des-  
21 ignated rest area’ means a passenger seat, sleeper  
22 seat, or bunk of an aircraft assigned for crew rest  
23 purposes.

24 “(4) DOMESTIC FLIGHT.—The term ‘domestic  
25 flight’ means any flight or segment of a flight

1 worked by a flight attendant totally within the 48  
2 contiguous States and the District of Columbia.

3 “(5) DUTY TIME.—The term ‘duty time’ means  
4 all time worked for an air carrier at any place and  
5 in any capacity and, with respect to flying, shall  
6 begin at the required report time and shall end at  
7 the conclusion of the debriefing time, or when re-  
8 leased by the carrier, whichever is later. Duty time  
9 accrues until the crewmember is given a required  
10 rest period by the carrier. Time spent deadheading,  
11 either on an aircraft or by surface transportation, to  
12 or from an assignment by an air carrier, time spent  
13 ferrying, and time spent attending meetings and  
14 training shall also be considered duty time. Duty  
15 time continues—

16 “(A) throughout a rest period of a shorter  
17 duration than that contained in subsection  
18 (b)(1), (b)(2), or (b)(3), as the case may be;  
19 and

20 “(B) during in-flight rest periods contained  
21 in subsection (b)(5).

22 “(6) INTERNATIONAL FLIGHT.—The term  
23 ‘international flight’ means any flight worked by a  
24 flight attendant for which a take off or landing is

1 scheduled outside the 48 contiguous States and the  
2 District of Columbia.

3 “(7) LONG-RANGE INTERNATIONAL NONSTOP  
4 FLIGHT.—The term ‘long-range international non-  
5 stop flight’ means a single nonstop international  
6 flight scheduled for 8 hours or more of flight time.

7 “(8) REPORT TIME.—The term ‘report time’  
8 means a time period of at least 30 minutes prior to  
9 the scheduled departure time of the first flight or  
10 segment of a flight in a flight attendant’s duty pe-  
11 riod or the time the flight attendant is required to  
12 report to work, whichever is earlier.

13 “(9) REST.—The term ‘rest’ means uninter-  
14 rupted time free from all duty.

15 “(10) SCHEDULED FLIGHT TIME.—The term  
16 ‘scheduled flight time’ means the elapsed time based  
17 on the time shown in schedules given by an air car-  
18 rier to a travel agent.

19 “(11) SECRETARY.—The term ‘Secretary’  
20 means the Secretary of Transportation.

21 “(f) TREATMENT OF DUTY PERIOD WITH DOMESTIC  
22 AND INTERNATIONAL FLIGHT SEGMENTS.—A duty period  
23 with domestic and international flight segments shall be  
24 treated as domestic flying for the purpose of calculating  
25 duty and rest requirements under this section if the major-

1 ity of the flight time during that duty period is on a do-  
 2 mestic segment or shall be treated as international flying  
 3 if the majority of the flight time during that duty period  
 4 is on an international segment.”.

5 (b) CONFORMING AMENDMENT.—The table of con-  
 6 tents contained in the first section of the Federal Aviation  
 7 Act of 1958 is amended by adding at the end of the matter  
 8 relating to title VI the following:

“Sec. 614. Duty time of flight attendants.

“(a) Rulemaking proceeding.

“(b) Final regulations.

“(c) Mandated prohibitions.

“(d) Modification of mandated prohibitions.

“(e) Definitions.

“(f) Treatment of duty period with domestic and international flight seg-  
 ments.”.

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